

Executed at Sherman Oaks, California on October 21, 2014.

I oppose plan confirmation because the **Debtor has failed to:**

- ☐ schedule debts within the limits of 11 USC §109(e); and therefore **ineligible**; and/or Debtor is not eligible to be a Chapter 13 Debtor as follows:
- ☐ **disclose** [11 USC §521, LBR 1017-1(b)]
☐ assets ☐ creditors ☐ income ☐ prior case
- ☐ **serve all** creditors with notice and the Plan at least 28 days before the 11 USC §341 (a) Meeting of Creditors, FRBPs 2002(b), 7004 and LBR 3015-1(b)(3);
- ☐ provide the Trustee **documentation of all income** (as well as any contributor's income) seven days before the §341(a) Meeting of Creditors. LBR 3015-1(c)(3), 11 USC § 521;
- ☐ meet the **business reporting requirements** regarding Debtor's business or self-employment, LBR 3015-1(c)(4);
- ☐ provide to the Trustee completed copies of the Federal and State **income tax returns**, 11 USC § 1308 and 521, LBR 3015-1(c)(3).

- ☒ propose a plan that is feasible 11 USC § 1325(a)(6); the plan is **infeasible** because
☐ certain claims are not included and/or the amount provided is insufficient

<u>Creditor</u>	<u>Acct #</u>	<u>Class</u>	<u>Claim</u>	<u>Plan</u>	<u>Notes</u>
Ford	7999	4/S	\$326 arrears	\$0	no prov'n-lease

☐ income is not sufficient enough to fund it

☐ plan payment will not retire debt within term

- ☒ the plan does not propose treatment and/or properly treat all scheduled, priority and/or secured creditors; and/or plan deficiencies as follows:
- rs on Ford lease not provided for in plan
- Secured and/or Priority creditor(s), listed on schedules, not treated in plan
Ford

- ☒ propose a plan that represents the Debtor's **best effort** 11 USC §1322; 11 USC §1325
- Joint debtor/spouse income not disclosed

- ☒ unreasonable and/or unnecessary expenses are scheduled
- Debtor to file declaration w/ Court w/ annotated evidence attached explaining expenses: \$1,150 food/housekeeping (for 1), \$200 clothes, \$533 medical/dental, \$150 entertainment, \$460 transportation (for 1)
- ☒ the budget surplus exceeds the monthly plan payment
- Surplus income per evidence - Surplus: \$530 (debtor: \$5,091/mo net avg (paid bi-weekly) vs. \$4,615 scheduled, ytd higher)
- ☐ comply with the Means Test as required by the Code, In re Kagenveama, 541 F3d 868, and/or In re Lanning, 1330 S.Ct.2464

☒ propose a plan that provides creditors as much as would be received under **Chapter 7** 11 USC §1325(a)(4).

- **Secured and/or Priority creditor(s), listed on schedules, not treated in plan Ford**

☒ other issues as stated below:

- **Trustee to request interlineations that all tax returns be submitted to the Trustee; all tax refunds to be submitted into the plan and the Debtor will not incur debt greater than \$500 without Court permission.**

PROOF OF SERVICE

In Re: Cynthia Lynn Pachorek
Case No. SV14-14061-AA

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

Elizabeth Rojas
15060 Ventura Blvd.
Suite 240
Sherman Oaks, CA 91403

The foregoing document described as **TRUSTEE'S OBJECTION TO CONFIRMATION; NOTICE OF POSSIBLE DISMISSAL OR CONVERSION** will be served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

On October 21, 2014, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Cynthia Lynn Pachorek
10707 Camarillo Street, Unit 217
North Hollywood, CA 91602

ERCOLANI LAW GROUP
4195 E. THOUSAND OAKS BLVD STE# 175
WESTLAKE VILLAGE, CA 91362

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: October 21, 2014

/s/ Patricia Trujillo
